

MISSOURI STATE BOARD OF EDUCATION SPECIAL EDUCATION REGULATIONS

TABLE OF CONTENTS

	<u>Page</u>
I. GENERAL PROVISIONS	
1. Applicability	1
2. Amendments	1
3. Definitions	1
II. CONFIDENTIALITY	
1. Confidentiality of Personally Identifiable Information	13
III. IDENTIFICATION AND EVALUATION	
1. Child Find	18
2. Definitions and Criteria for Determination of Eligibility	19
A. Autism	20
B. Deaf/Blindness	21
C. Emotional Disturbance	22
D. Hearing Impairment and Deafness	23
E. Mental Retardation/Intellectual Disability	23
F. Multiple Disabilities	24
G. Orthopedic Impairment	24
H. Other Health Impairment	24
I. Specific Learning Disability	25
J. Speech or Language Impairment	27
K. Traumatic Brain Injury (TBI)	29
L. Visual Impairment/Blindness	29
M. Young Child with a Developmental Delay	30
3. Procedures for Evaluation and Determination of Eligibility	31
4. Additional Procedures	38

IV. FAPE/IEP/LRE

1. Free Appropriate Public Education	40
2. Individualized Education Program	43
3. Least Restrictive Environment (LRE)	52
➤ Special Education Placements	56
4. Transition of Children from Part C Services to Part B Services	57

V. PROCEDURAL SAFEGUARDS/DISCIPLINE

1. Opportunity to Examine Education Records/Parent Participation in Meetings	58
2. Independent Educational Evaluation (IEE)	58
3. Written Notice	60
4. Procedural Safeguards Notice	61
5. Parental Consent	61
6. Administrative Hearing Rights	63
7. Surrogate Parents (Educational Surrogates)	75
8. Transfer of Parental Rights at Age of Majority	78
9. Disciplinary Actions/Removals/Expedited Hearings	79

VI. DESE RESPONSIBILITIES

1. General Supervision Responsibilities	85
2. Application, Evaluation, and Approval of Private Educational Agencies	87
3. Child Complaint Process	90
4. Full Educational Opportunities Goal	93
5. Methods of Ensuring Services	93
6. Performance Goals and Indicators	94
7. Public Participation	95
8. State Advisory Panel	95
9. Suspension and Expulsion Rates	97
10. Access to Instructional Materials.....	97
11. Overidentification and Disproportionality.....	98

12. Prohibition on Mandatory Medication.....	98
13. State Administration	98
14. Personnel Qualifications	99
Personnel Standards Chart	101

VII. LOCAL EDUCATION AGENCY (LEA) ELIGIBILITY

1. Condition of Assistance	106
2. Consistency with State Policies	106
3. Subgrants to LEAs.....	106
4. Use of Amounts	106
5. Excess Cost Requirement	106
6. Maintenance of Effort.....	107
7. School-wide Programs Under Title I of the Elementary and Secondary Education Act (ESEA).....	108
8. Personnel Development.....	109
9. Permissive Use of Funds	109
10. Early Intervening Services.....	109
11. Purchase of Instructional Materials	111
12. Information for State Education Agency (SEA).....	111
13. Records Regarding Migratory Children with Disabilities	111
14. Accounting and Payment Procedures	112
15. Hearings Related to LEA Eligibility.....	112
16. Class Size and Caseloads.....	113

VIII. PRIVATE SCHOOLS

1. Children Placed in Approved Private Agencies by Public Agencies	121
2. Children Enrolled by Their Parents in Private Schools When FAPE is at Issue	122
3. Children with Disabilities Enrolled by Their Parents in Private Schools–Child Find ...	123
4. LEA Requirements to Provide Services for Parentally-Placed Private School Children with Disabilities	123

IX. SPECIAL SCHOOL DISTRICTS

1.	Basis for Compliance	130
2.	Structure of Compliance	131
3.	Compliance Requirements	132
4.	Assurance of Compliance	142

X. STATE OPERATED PROGRAMS

1.	SEA Provision of Direct Services	144
2.	State Schools for Severely Handicapped	144
3.	Missouri School for the Blind and Missouri School for the Deaf	149